

AIR QUALITY PERMIT

Issued To: Rock Solid Enterprises, Inc.
P.O. Box 1262
Havre, MT 59501

Permit #4197-00
Application Complete: 2/11/08
Preliminary Determination Issued: 3/6/08
Department's Decision Issued: 3/25/08
Permit Final: 4/10/08
AFS # 777-4197

An air quality permit, with conditions, is hereby granted to Rock Solid Enterprises, Inc. (Rock), pursuant to Sections 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and the Administrative Rules of Montana (ARM) 17.8.740, *et seq.*, as amended, for the following:

Section I: Permitted Facilities

A. Permitted Equipment:

Rock operates a portable wash plant at various locations throughout Montana. A complete list of equipment is included in Section I.A. of the Permit Analysis.

B. Plant Location:

Rock operates a portable wash plant initially located in the S ½ of Section 26, Township 33 North, Range 16 East in Hill County. Permit #4197-00 applies while operating at any location in Montana, except within those areas having a Department of Environmental Quality (Department)-approved permitting program, areas considered tribal lands, or areas in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) nonattainment areas. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* An addendum will be required for locations in or within 10 km of certain PM₁₀ nonattainment areas.

Section II: Conditions and Limitations

A. Emission Control Requirements

1. Rock shall not cause or authorize to be discharged into the atmosphere from any New Source Performance Standards (NSPS)-affected equipment, such as screens or conveyor transfers, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.340 and 40 CFR 60, Subpart OOO).
2. Rock shall not cause or authorize to be discharged into the atmosphere, from any non-NSPS affected equipment sources, any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304).
3. Rock shall not cause or authorize to be discharged into the atmosphere from any street, road or parking lot any visible fugitive emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes and must take reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.749).
4. Water and spray bars shall be available on site at all times and operated as necessary to maintain compliance with the opacity limitations in Sections II.A.1

- and II.A.2 (ARM 17.8.749).
5. Rock shall treat all unpaved portions of haul roads, access roads, parking lots, or the general plant area with water and/or chemical dust suppressant, as necessary, to maintain compliance with the reasonable precautions limitation in Section II.A.3 (ARM 17.8.749).
 6. Rock shall not operate more than one screen at any given time and the maximum-rated design capacity of the screen shall not exceed 500 tons per hour (TPH) (ARM 17.8.749).
 7. The total screen production from the wash plant shall be limited to 4,380,000 tons during any rolling 12-month time period (ARM 17.8.749).
 8. Rock shall not operate more than one diesel engine/generator at any given time and the maximum-rated design capacity shall not exceed 450 kilowatts (kW) (ARM 17.8.749).
 9. Rock shall comply with all applicable standards and limitations, and the reporting, recordkeeping, testing, and notification requirements contained in 40 CFR 60, Subpart OOO, *Standards of Performance for Nonmetallic Mineral Processing Plants*, (ARM 17.8.340 and 40 CFR 60, Subpart OOO).
 10. Rock shall comply with all applicable standards and limitations, and the reporting, record keeping, and notification requirements contained in 40 CFR 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*, for any applicable diesel engines (ARM 17.8.340, 40 CFR 60, Subpart IIII).
 11. If the permitted equipment is used in conjunction with any other equipment owned or operated by Rock, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons during any rolling 12-month period. Any calculation used to establish production levels, shall be approved by the Department (ARM 17.8.749).

B. Testing Requirements

1. Within 60 days after achieving maximum production, but no later than 180 days after initial start-up, an Environmental Protection Agency (EPA) Method 9 opacity test and/or other methods and procedures as specified in 40 CFR 60.675 must be performed on all NSPS affected equipment to demonstrate compliance with the emission limitations contained in Section II.A.1 (ARM 17.8.340, 40 CFR Part 60, General Provisions and Subpart OOO).
2. All compliance source tests shall be conducted in accordance with Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
3. The Department may require further testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. If the wash plant is moved to another location, an Intent to Transfer form must be sent to the Department and a Public Notice Form for Change of Location must be published in a newspaper of general circulation in the area to which the transfer

is to be made, at least 15 days prior to the move. The proof of publication (affidavit) of the Public Notice Form for Change of Location must be submitted to the Department prior to the move. These forms are available from the Department (ARM 17.8.749 and ARM 17.8.765).

2. Rock shall maintain on-site records showing daily hours of operation and daily production rates for the last 12 months. All records compiled in accordance with this permit shall be maintained by Rock as a permanent business record for at least five years following the date of the measurement, must be available at the plant for inspection by the Department, and must be submitted to the Department upon request (ARM 17.8.749).
3. Rock shall supply the Department with annual production information for all emission points, as required by the Department in the annual emission inventory request. The request will include, but not be limited to, all sources of emissions identified in the emission inventory contained in the permit analysis.

Production information shall be gathered on a calendar-year basis and submitted to the Department by the date required in the emission inventory request. Information shall be in the units required by the Department. This information may be used for calculating operating fees, based on actual emissions from the facility, and/or to verify compliance with permit limitations (ARM 17.8.505).

4. Rock shall notify the Department of any construction or improvement project conducted pursuant to ARM 17.8.745, that would include the addition of a new emission unit, change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emission unit.

This notice must be submitted to the Department, in writing, 10 days prior to start up or use of the proposed de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.745 (1)(d) (ARM 17.8.745).

5. Rock shall document, by month, the total screen production. By the 25th day of each month, Rock shall calculate the screening production from the facility for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.7. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).

D. Notification Requirements

Rock shall provide the Department with written notification of the actual start-up date of the portable wash plant within 30 days after actual startup (ARM 17.8.749).

Section III: General Conditions

- A. Inspection – Rock shall allow the Department's representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment (CEMS, CERMS) or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.

- B. Waiver - The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if Rock fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving Rock of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.* (ARM 17.8.756).
- D. Enforcement - Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties, or other enforcement, as specified in Section 75-2-401, *et seq.*, MCA.
- E. Appeals – Any person or persons jointly or severally adversely affected by the Department’s decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The filing of a request for a hearing does not stay the Department’s decision, unless the Board issues a stay upon receipt of a petition and a finding that a stay is appropriate under Section 75-2-211(11)(b), MCA. The issuance of a stay on a permit by the Board postpones the effective date of the Department’s decision until conclusion of the hearing and issuance of a final decision by the Board. If a stay is not issued by the Board, the Department’s decision on the application is final 16 days after the Department’s decision is made.
- F. Permit Inspection - As required by ARM 17.8.755, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by Department personnel at the location of the permitted source.
- G. Permit Fee - Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, failure to pay the annual operation fee by Rock may be grounds for revocation of this permit, as required by that section and rules adopted thereunder by the Board.
- H. Construction Commencement - Construction must begin within three years of permit issuance and proceed with due diligence until the project is complete or the permit shall be revoked (ARM 17.8.762).
- I. The Department may modify the conditions of this permit based on local conditions of any future site. These factors may include, but are not limited to, local terrain, meteorological conditions, proximity to residences, etc.
- J. Rock shall comply with the conditions contained in this permit while operating in any location in Montana, except within those areas having a Department-approved permitting program.

Permit Analysis
Rock Solid Enterprises, Inc.
Permit #4197-00

I. Introduction/Process Description

A. Permitted Equipment

Rock Solid Enterprises, Inc. (Rock) owns and operates a portable wash plant consisting of the following equipment:

- Wash plant with screen (up to 500 tons per hour (TPH));
- Diesel Engine (up to 450 kilowatts (kW));
- Conveyors and other associated equipment.

The portable wash plant was previously permitted in a different location under Permit #3253-00. The wash plant moved from the original permitted location and operated in this location for more than one year. Pursuant to Administrative Rules of Montana (ARM) 17.8.765, once a portable facility moves from the original location the facility can only operate in the new location for less than one year. In an effort to avoid potential on-going compliance issues, the facility requested the Department of Environmental Quality (Department) revoke the original permit, and Rock applied for a new permit in the new location (home pit).

The proposed initial location for the facility under this permit is in the S½ of Section 26, Township 33 North, Range 16 East in Hill County, Montana. Permit #4197-00 applies to the source while operating at any location in Montana, except within those areas having a Department-approved permitting program, those areas considered tribal lands, or those areas in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) nonattainment areas. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* An addendum to this air quality permit will be required if Rock intends to locate in or within 10 km of certain PM₁₀ nonattainment areas.

B. Source Description

For a typical operation, Rock proposes to use this wash plant and associated equipment to wash aggregate for use in various construction operations. For a typical operation setup, materials are loaded into the feeder, conveyed to the wash plant, screened and conveyed to stockpile for sale and use in construction operations.

Rock has a diesel generator associated with the wash plant rated at 387 kW (519 hp). Rock was not sure of the engine output, and in order to keep the wash plant de minimis-friendly and to account for efficiency loss, the permit authorizes use an engine rated up to 450 kW. However, the diesel generator/engine is only operated if the land power is out.

II. Applicable Rules and Regulations

The following are partial explanations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the ARM and are available, upon request, from the Department. Upon request, the Department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

A. ARM 17.8, Subchapter 1 – General Provisions, including, but not limited to:

1. ARM 17.8.101 Definitions. This rule includes a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.105 Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment (including instruments and sensing devices) and shall conduct tests, emission or ambient, for such periods of time as may be necessary using methods approved by the Department.
3. ARM 17.8.106 Source Testing Protocol. The requirements of this rule apply to any emission source testing conducted by the Department, any source, or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq.*, Montana Code Annotated (MCA).

Rock shall comply with the requirements contained in the Montana Source Test Protocol and Procedures Manual, including but not limited to, using the proper test methods and supplying the required reports. A copy of the Montana Source Test Protocol and Procedures Manual is available from the Department upon request.

4. ARM 17.8.110 Malfunctions. (2) The Department must be notified promptly by telephone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation, or to continue for a period greater than 4 hours.
5. ARM 17.8.111 Circumvention. (1) No person shall cause or permit the installation or use of any device or any means that, without resulting in reduction of the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner as to create a public nuisance.

B. ARM 17.8, Subchapter 2 – Ambient Air Quality, including, but not limited to:

1. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
2. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
3. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
4. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
5. ARM 17.8.223 Ambient Air Quality Standard for PM₁₀

Rock must maintain compliance with the applicable ambient air quality standards.

C. ARM 17.8, Subchapter 3 – Emission Standards, including, but not limited to:

1. ARM 17.8.304 Visible Air Contaminants. This rule requires that no person may cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes.
2. ARM 17.8.308 Particulate Matter, Airborne. (1) This rule requires an opacity

limitation of less than 20% for all fugitive emission sources and reasonable precaution be taken to control emissions of airborne particulate matter (PM). (2) Under this rule, Rock shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.

3. ARM 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this section.
4. ARM 17.8.310 Particulate Matter, Industrial Process. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter in excess of the amount set forth in this section.
5. ARM 17.8.322 Sulfur Oxide Emissions--Sulfur in Fuel. This rule requires that no person shall burn liquid, solid, or gaseous fuel in excess of the amount set forth in this section.
6. ARM 17.8.324 Hydrocarbon Emissions--Petroleum Products. (3) No person shall load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank truck or trailer, except through a permanent submerged fill pipe, unless such tank truck or trailer is equipped with a vapor loss control device as described in (1) of this rule.
7. ARM 17.8.340 Standard of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR Part 60, Standards of Performance for New Stationary Sources (NSPS), including the following subparts:

40 CFR 60, Subpart OOO - This rule applies to crushing facilities with capacities greater than 150 TPH and that were constructed after August 31, 1983. Because Rock proposes to operate a crusher (under Permit #4199-00) with a capacity in excess of 150 TPH that was constructed after August 31, 1983 in conjunction with this permit, NSPS requirements will apply to the wash plant.

40 CFR 60, Subpart IIII: Subpart IIII, Stationary Compression Ignition Internal Combustion Engines, will apply for any diesel generator manufactured after April 1, 2006, or modified or reconstructed after July 11, 2005. Because the permit is written to allow Rock to operate any diesel engine (up to 450 kW), this regulation could apply in the future.

D. ARM 17.8, Subchapter 5 – Air Quality Permit Application, Operation, and Open Burning Fees, including, but not limited to:

1. ARM 17.8.504 Air Quality Permit Application Fees. This rule requires that Rock submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. Rock submitted the appropriate permit application fee for the current permit action.
2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department. This air quality operation fee is based

on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions that pro-rate the required fee amount.

- E. ARM 17.8, Subchapter 7 – Permit, Construction, and Operation of Air Contaminant Sources, including, but not limited to:
1. ARM 17.8.740 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
 2. ARM 17.8.743 Montana Air Quality Permits--When Required. This rule requires a person to obtain an air quality permit or permit alteration to construct, alter, or use any asphalt plant, crusher or screen that has the Potential to Emit (PTE) greater than 15 tons per year of any pollutant. Rock has a PTE greater than 15 tons per year of PM, oxides of nitrogen (NO_x), and carbon monoxide (CO); therefore, an air quality permit is required.
 3. ARM 17.8.744 Montana Air Quality Permits--General Exclusions. This rule identifies the activities that are not subject to the Montana Air Quality Permit program.
 4. ARM 17.8.745 Montana Air Quality Permit--Exclusion for De Minimis Changes. This rule identifies the de minimis changes at permitted facilities that are not subject to the Montana Air Quality Permit Program.
 5. ARM 17.8.748 New or Modified Emitting Units--Permit Application Requirements. This rule requires that a permit application be submitted prior to installation, alteration or use of a source. Rock submitted a permit application for the current permit action. (7) This rule requires that the applicant notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. Rock submitted an affidavit of publication of public notice for the February 8, 2008, issue of *The Havre Daily News*, a newspaper of general circulation in Havre, as proof of compliance with the public notice requirements.
 6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.
 7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that Best Available Control Technology (BACT) shall be utilized. The required BACT analysis is included in Section III of this permit analysis.

8. ARM 17.8.755 Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the Department at the location of the source.
9. ARM 17.8.756 Compliance with Other Requirements. This rule states that nothing in the permit shall be construed as relieving Rock of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.*
10. ARM 17.8.759 Review of Permit Applications. This rule describes the Department's responsibilities for processing permit applications and making permit decisions on those permit applications that do not require the preparation of an environmental impact statement.
11. ARM 17.8.762 Duration of Permit. An air quality permit shall be valid until revoked or modified, as provided in this subchapter, except that a permit issued prior to construction of a new or altered source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than 1 year after the permit is issued.
12. ARM 17.8.763 Revocation of Permit. An air quality permit may be revoked upon written request of the permittee, or for violations of any requirement of the Clean Air Act of Montana, rules adopted under the Clean Air Act of Montana, the FCAA, rules adopted under the FCAA, or any applicable requirement contained in the Montana State Implementation Plan (SIP).
13. ARM 17.8.764 Administrative Amendment to Permit. An air quality permit may be amended for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase of emissions as a result of those changed conditions. The owner or operator of a facility may not increase the facility's emissions beyond permit limits unless the increase meets the criteria in ARM 17.8.745 for a de minimis change not requiring a permit, or unless the owner or operator applies for and receives another permit in accordance with ARM 17.8.748, ARM 17.8.749, ARM 17.8.752, ARM 17.8.755, and ARM 17.8.756, and with all applicable requirements in ARM Title 17, Chapter 8, Subchapters 8, 9, and 10.
14. ARM 17.8.765 Transfer of Permit. (1) This rule states that an air quality permit may be transferred from one location to another if the Department receives a complete notice of Intent to Transfer location, the facility will operate in the new location for less than 1 year, the facility will comply with the FCAA and the Clean Air Act of Montana, and the facility complies with other applicable rules. (2) This rule states that an air quality permit may be transferred from one person to another if written notice of Intent to Transfer, including the names of the transferor and the transferee, is sent to the Department.

F. ARM 17.8, Subchapter 8 – Prevention of Significant Deterioration of Air Quality, including, but not limited to:

1. ARM 17.8.801 Definitions. This rule is a list of applicable definitions used in this subchapter.
2. ARM 17.8.818 Review of Major Stationary Sources and Major Modification--

Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the FCAA that it would emit, except as this subchapter would otherwise allow.

This facility is not a major stationary source since it is not a listed source and the facility's PTE is less than 250 tons per year (excluding fugitive emissions) of any air pollutant.

G. ARM 17.8, Subchapter 12 – Operating Permit Program Applicability, including, but not limited to:

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any stationary source having:
 - a. PTE > 100 tons/year of any pollutant;
 - b. PTE > 10 tons/year of any one Hazardous Air Pollutant (HAP), PTE > 25 tons/year of a combination of all HAPs, or lesser quantity as the Department may establish by rule; or
 - c. PTE > 70 tons/year of PM₁₀ in a serious PM₁₀ nonattainment area.
2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. (1) Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204 (1), obtain a Title V Operating Permit. In reviewing and issuing Permit #4197-00 for Rock, the following conclusions were made:
 - a. The facility's PTE is less than 100 tons/year for any criteria pollutant.
 - b. The facility's PTE is less than 10 tons/year for any one HAP and less than 25 tons/year of all HAPs.
 - c. This source is not located in a serious PM₁₀ nonattainment area.
 - d. This facility is subject to current NSPS standards (40 CFR 60, Subpart OOO) when co-located with MAQP #4199-00.
 - e. This facility is not subject to any current National Emission Standards for Hazardous Air Pollutants (NESHAP) standards.
 - f. This source is not a Title IV affected source or a solid waste combustion unit.
 - g. This source is not an EPA designated Title V source.

Based on these facts, the Department determined that the wash plant will be a minor source of emissions as defined under Title V. If minor sources subject to NSPS are required to obtain a Title V Operating Permit, Rock will be required to obtain a Title V Operating Permit.

However, the diesel engine associated with this permit could potentially be operated with other emitting units owned and/or operated by Rock, located on contiguous or adjacent property. If this engine is used in conjunction with other equipment under the same 2-digit Standard Industrial Classification (SIC) Code, or as support equipment for another Rock facility, then the potential emissions must be considered in aggregate. In this case, there is a potential for this facility

as well as the source(s) of emissions that the engine is being used with, to have an aggregated PTE greater than the 100 tons per year threshold for the Title V operating permit program. If this situation arises, Rock is expected to modify their permit(s) so that federally enforceable permit limits can be included to keep the potential emissions below major source permitting thresholds, or to apply for and receive a Title V operating permit.

III. BACT Determination

A BACT determination is required for each new or altered source. Rock shall install on the new or altered source the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be utilized.

A. Area Source Emissions

Two types of emissions controls are readily available and used for dust suppression of fugitive emissions at the site, fugitive emissions for the surrounding area of operations, and for equipment emissions from the wash plant. These two control methods are water and chemical dust suppressant. Chemical dust suppressant could be used on the area surrounding the operation, and for emissions from the wash plant. However, because water is more readily available, is more cost effective, is equally effective as chemical dust suppressant, and is more environmentally friendly, water has been identified as the most appropriate method of pollution control of particulate emissions for the general plant area. In addition, water suppression has been required of recently permitted similar sources. Rock may, however, use chemical dust suppressant to assist in controlling particulate emissions from the surrounding plant area.

Further, Rock shall not cause or authorize to be discharged into the atmosphere from any non-NSPS equipment, any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes. In addition, if the wash plant is operated in conjunction with the crusher permitted under #4199-00 then NSPS applies and all visible emissions from any NSPS-affected equipment, such as screens or conveyor transfers, shall not exhibit an opacity of 10% or greater averaged over 6 consecutive minutes. Rock must also take reasonable precautions to limit the fugitive emissions of airborne particulate matter from haul roads, access roads, parking areas, and the general area of operation.

Rock is required to have water spray bars and water available on site (at all times) and to apply the water, as necessary, to maintain compliance with the opacity and reasonable precaution limitations. Rock may also use chemical dust suppression, in order to maintain compliance with emission limitations in Section II of Permit #4197-00. The Department determined that using water spray bars, water, and chemical dust suppressant to maintain compliance with the opacity requirements and reasonable precaution limitations constitutes BACT for the operation.

B. Diesel Generator

Due to the limited amount of emissions produced by the diesel engine and the lack of readily available, cost effective add-on controls; add-on controls would be cost prohibitive. Therefore, the Department determined proper operation and maintenance with no add-on controls would constitute BACT for the diesel engine.

IV. Emission Inventory

Source	Tons/Year (TPY)
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	PM	PM ₁₀	NO _x	VOC	CO	SO _x
Truck Unloading	0.22	0.22				
Material Transfer	0.31	0.10				
Pile Forming	7.05	3.35				
Wash plant/screen (up to 500 TPH)	4.82	1.62				
Diesel Engine (up to 604 hp)	5.81	5.81	81.94	6.53	17.66	5.42
Haul Roads	12.68	3.60				
Total	30.89	14.70	81.94	6.53	17.66	5.42

Truck Unloading

Maximum Process Rate: 500 ton/hr
Adjusted Process Rate: 500 ton/hr
Number of Material Transfer: 1 Load
Hours of operation: 8760 hr/yr or 24.00 hr/day

PM Emissions:

Emission Factor: 0.0001 lb/ton (controlled, AP-42, Section 11.19.2-2, 8/04)
Annual Calculations: $0.0001 \text{ lb/ton} * 500 \text{ ton/hr} * 8760 \text{ hr/yr} * 0.0005 \text{ ton/lb} =$ 0.22 ton/yr

PM-10 Emissions:

Emission Factor: 0.0001 lb/ton (controlled, AP-42, Section 11.19.2-2, 8/04)
Annual Calculations: $0.0001 \text{ lb/ton} * 500 \text{ ton/hr} * 8760 \text{ hr/yr} * 0.0005 \text{ ton/lb} =$ 0.22 ton/yr

Material Transfer

Maximum Process Rate: 500 ton/hr
Adjusted Process Rate: 500 ton/hr
Number of Material Transfer: 5 number of Transfers (per MAQP #3253-00)
Hours of operation: 8760 hr/yr or 24.00 hr/day

PM Emissions:

Emission Factor: 0.00014 lb/ton (controlled, AP-42, Section 11.19.2-2, 8/04)
Annual Calculations: $0.00014 \text{ lb/ton} * 500 \text{ ton/hr} * 8760 \text{ hr/yr} * 0.0005 \text{ ton/lb} =$ 0.31 ton/yr

PM-10 Emissions:

Emission Factor: 0.000046 lb/ton (controlled, AP-42, Section 11.19.2-2, 8/04)
Annual Calculations: $0.000046 \text{ lb/ton} * 500 \text{ ton/hr} * 8760 \text{ hr/yr} * 0.0005 \text{ ton/lb} =$ 0.10 ton/yr

Pile Forming

Maximum Process Rate: 500 ton/hr
Adjusted Process Rate: 500 ton/hr
Number of Piles: 3 Piles (per MAQP #3253-00)
Hours of operation: 8760 hr/yr or 24.00 hr/day

PM Emissions:

Emission Factor: 0.00322 lb/ton (AP-42, Section 13.2.4, 12/03)
Annual Calculations: $0.00322 \text{ lb/ton} * 500 \text{ ton/hr} * 8760 \text{ hr/yr} * 0.0005 \text{ ton/lb} =$ 7.05 ton/yr

PM-10 Emissions:

Emission Factor: 0.00153 lb/ton (AP-42, Section 13.2.4, 12/03)
Annual Calculations: $0.00153 \text{ lb/ton} * 500 \text{ ton/hr} * 8760 \text{ hr/yr} * 0.0005 \text{ ton/lb} =$ 3.35 ton/yr

Wash plant/screen (up to 500 TPH)

Maximum Process Rate: 500 ton/hr
Adjusted Process Rate: 500 ton/hr
Hours of operation: 24.00 hr/day or 8760 hr/yr

PM Emissions:

Emission Factor: 0.0022 lb/ton (controlled, AP-42, Section 11.19.2-2, 8/04)
Annual Calculations: $0.0022 \text{ lb/ton} * 500 \text{ ton/hr} * 8760 \text{ hr/yr} * 0.0005 \text{ ton/lb} =$ 4.82 ton/yr

PM-10 Emissions:

Emission Factor: 0.00074 lb/ton (controlled, AP-42, Section 11.19.2-2, 8/04)
Annual Calculations: $0.00074 \text{ lb/ton} * 500 \text{ ton/hr} * 8760 \text{ hr/yr} * 0.0005 \text{ ton/lb} =$ 1.62 ton/yr

Diesel Engine (up to 604 hp)

Generator Size = 450 KW
1KW = 1.341
150 KW * 1.341 = 603.45 hp

Hours of Operation: 8760 hr/yr or 24.00 hr/day

PM Emissions:

Emission Factor 0.0022 lb/hp-hr (AP-42 Table 3.3-1,10/96)
Annual Calculations $603.45 \text{ hp} * 0.0022 \text{ lb/hp-hr} * 8760 \text{ hr/yr} * 0.0005 \text{ tons/lb} =$ 5.81 ton/yr

PM-10 Emissions:

Emission Factor 0.0022 lb/hp-hr (AP-42 Table 3.3-1,10/96)
Annual Calculations $603.45 \text{ hp} * 0.0022 \text{ lb/hp-hr} * 8760 \text{ hr/yr} * 0.0005 \text{ tons/lb} =$ 5.81 ton/yr

NOx Emissions:

Emission Factor 0.031 lb/hp-hr (AP-42 Table 3.3-1,10/96)
Annual Calculations $603.45 \text{ hp} * 0.031 \text{ lb/hp-hr} * 8760 \text{ hr/yr} * 0.0005 \text{ tons/lb} =$ 81.94 ton/yr

VOC Emissions:

Emission Factor 0.00247 lb/hp-hr (AP-42 Table 3.3-1,10/96)
Annual Calculations $603.45 \text{ hp} * 0.00247 \text{ lb/hp-hr} * 8760 \text{ hr/yr} * 0.0005 \text{ tons/lb} =$ 6.53 ton/yr

CO Emissions:

Emission Factor 0.00668 lb/hp-hr (AP-42 Table 3.3-1,10/96)
Annual Calculations $603.45 \text{ hp} * 0.00668 \text{ lb/hp-hr} * 8760 \text{ hr/yr} * 0.0005 \text{ tons/lb} =$ 17.66 ton/yr

SOx Emissions:

Emission Factor 0.00205 lb/hp-hr (AP-42 Table 3.3-1,10/96)
Annual Calculations $603.45 \text{ hp} * 0.00205 \text{ lb/hp-hr} * 8760 \text{ hr/yr} * 0.0005 \text{ tons/lb} =$ 5.42 ton/yr

Haul Roads

Vehicle miles traveled: 5 VMT/day {Estimated}

Control Efficiency is included in Emission Factor

PM Emissions: 13.90 Lbs/VMT (AP-42, Section 13.2.2, 12/03)

PM Emission Factor (Rated Load Capacity <50 tons):

$E(\text{PM}) = (5 \text{ VMT/day})(13.90 \text{ Lbs/VMT}) =$ 69.50 Lbs/day
 $E(\text{PM}) = (5 \text{ VMT/day})(13.90 \text{ Lbs/VMT}) * 0.0005 \text{ tons/lb} =$ 0.03 tons/day
 $E(\text{PM}) =$ 0.03475 tons/day * 365 days/year = 12.68 tons/yr

PM10 Emissions:

PM10 Emission Factor (Rated Load Capacity <50 tons): 3.95 Lbs/VMT (AP-42, Section 13.2.2, 12/03)

$E(\text{PM10}) = (5 \text{ VMT/day})(3.95 \text{ Lbs/VMT})$ 19.75 Lbs/day
 $E(\text{PM10}) = (5 \text{ VMT/day})(3.95 \text{ Lbs/VMT}) * 0.0005 \text{ tons/lb} =$ 0.01 tons/day
 $\text{PM10} =$ 0.03475 tons/day * 365 days/year = 3.60 tons/year

V. Existing Air Quality

Permit #4197-00 is issued for the operation of a portable wash plant at any location within Montana, excluding those areas that have a Department approved permitting program or those areas considered tribal lands. Permit #4197-00 covers this portable plant while operating in those areas within Montana classified as being in attainment with federal ambient air quality standards, those areas not yet classified, and those areas in or within 10 km of certain PM₁₀ nonattainment areas.

VI. Air Quality Impacts

This permit contains conditions and limitations that would protect air quality for the site and surrounding area. Based on the information provided, the Department believes that the amount of emissions generated by this facility will not exceed any set ambient air quality standard. In addition, this facility is a portable source that will operate on an intermittent and temporary basis at a given location, so any impacts to air quality will be minor and short-lived.

VII. Taking or Damaging Implication Analysis

As required by 2-10-101 through 2-10-105, MCA, the Department conducted a private property taking and damaging assessment and determined there are no taking or damaging implications.

VIII. Environmental Assessment

An environmental assessment, required by the Montana Environmental Policy Act (MEPA), was completed for this project. A copy is attached.

DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting and Compliance Division
Air Resources Management Bureau
1520 East Sixth Avenue
P.O. Box 200901
Helena, Montana 59620-0901
(406) 444-3490

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued To: Rock Solid Enterprises, Inc.

Air Quality Permit Number: #4197-00

Preliminary Determination Issued: 03/06/08

Department Decision Issued: 03/25/08

Permit Final: 04/10/08

1. *Legal Description of Site:* Rock operates a portable wash plant initially located in the S½ of Section 26, Township 33 North, Range 16 East in Hill County. Permit #4197-00 applies while operating at any location in Montana, except within those areas having a Department approved permitting program, or areas considered tribal lands, or areas in or within 10 km of PM₁₀ nonattainment areas. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.*
2. *Description of Project:* For a typical operation, Rock proposes to use this wash plant and associated equipment to wash aggregate for use in various construction operations. For a typical operation setup, materials are loaded into the feeder, conveyed to the wash plant, screened and conveyed to stockpile for sale and use in construction operations.
3. *Objectives of Project:* The object of the project would be to produce business and revenue for the company by the sale and use of aggregate. The issuance of Permit #4197-00 would allow Rock to operate the permitted equipment at various locations throughout Montana.
4. *Additional Project Site Information:* Although this permit is designated as portable, the initial site location would be S½ of Section 26, Township 33 North, Range 16 East in Hill County. Due to the size and the nature of this project, and the fact that this location will serve as Rock's home pit, this project was required to obtain a permit through the Industrial and Energy Minerals Bureau (IEMB). An extensive environmental assessment would be located in the Mined Land Reclamation Permit for this specific site.
5. *Alternatives Considered:* In addition to the proposed action, the Department considered the "no-action" alternative. The "no-action" alternative would deny issuance of the air quality preconstruction permit to the proposed facility. However, the Department does not consider the "no-action" alternative to be appropriate because Rock demonstrated compliance with all applicable rules and regulations as required for permit issuance. Therefore, the "no-action" alternative was eliminated from further consideration.
6. *A Listing of Mitigation, Stipulations, and Other Controls:* A listing of the enforceable permit conditions and a permit analysis, including a BACT analysis, would be contained in Permit #4197-00.
7. *Regulatory Effects on Private Property Rights:* The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined

the permit conditions would be reasonably necessary to ensure compliance with applicable requirements and to demonstrate compliance with those requirements and would not unduly restrict private property rights.

8. The following table summarizes the potential physical and biological effects of the proposed project on the human environment. The “no action alternative” was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments Included
A.	Terrestrial and Aquatic Life and Habitats			X			yes
B.	Water Quality, Quantity, and Distribution			X			yes
C.	Geology and Soil Quality, Stability, and Moisture			X			yes
D.	Vegetation Cover, Quantity, and Quality			X			yes
E.	Aesthetics			X			yes
F.	Air Quality			X			yes
G.	Unique Endangered, Fragile, or Limited Environmental Resource			X			yes
H.	Demands on Environmental Resource of Water, Air, and Energy			X			yes
I.	Historical and Archaeological Sites				X		yes
J.	Cumulative and Secondary Impacts			X			yes

Summary of Comments on Potential Physical and Biological Effects: The following comments have been prepared by the Department.

A. Terrestrial and Aquatic Life and Habitats

There is a possibility that terrestrials would use the same area as the wash plant. Impacts on terrestrial and aquatic life could result from storm water runoff and pollutant deposition, but such impacts would be minor because the plant operation would be considered a minor source of emissions, and would have intermittent and seasonal operations. Furthermore, the air emissions would have only minor effects on terrestrial and aquatic life because facility emissions would be well dispersed in the area of operation (see Section 8.F of this EA). Therefore, only minor and temporary effects to terrestrial and aquatic life and habitat would be expected from this operation.

B. Water Quality, Quantity, and Distribution

Water would be required for dust suppression on the surrounding roadways and at areas of operation for equipment pollution control. However, pollution control for portions of the plant could be accomplished using a small volume of water and therefore, only minor amounts of pollutant deposition would occur. Any pollutant deposition in the area would be seasonal and intermittent given the portable nature of the wash plant. Stormwater runoff from the operation may end up in an on-site pond that is used for the wash plant. This pond functions as a settling

pond, although overflow may leave the property during high rain events and potentially impact downstream aquatic life. However, the site is relatively flat and minimal water runoff would be expected to occur. Therefore, only minor surface and groundwater quality impacts would be expected.

C. Geology and Soil Quality, Stability, and Moisture

The proposed project would have minor impacts on geology and soil quality, stability and moisture because deposition of air pollutants on soils would be minor (see Section 8.F of this EA). Only minor amounts of water would be required for pollution control, and only minor amounts of pollution would be generated. Pollutants would be widely dispersed before settling upon vegetation and surrounding soils (see Section 8.D of this EA). Therefore, any effects upon geology and soil quality, stability, and moisture at this proposed operational site would be minor and short-term.

D. Vegetation Cover, Quantity, and Quality

Minor impacts would occur on vegetative cover, quality, and quantity because the facility would operate in an area where vegetation has been previously disturbed and the facility would be a small industrial operation. The facility would be a relatively minor source of emissions and the pollutants would be greatly dispersed (as described in Section 8.F); therefore, deposition on vegetation from the proposed project would be minor. Water usage would be minimal (as described in Section 8.B) and the associated soil disturbance from the application of water and water runoff would be minimal (as described in Section 8.C) and therefore, the corresponding vegetative impacts would be minor.

E. Aesthetics

The wash plant's operation would be visible, and would create additional noise. According to the applicant, there are two houses located approximately 1000 feet away, and the town of Havre is approximately 3.5 miles away. The wash plant would operate at an existing gravel pit and would include conditions to control emissions, including visible emissions from the plant. Since the plant would operate on an intermittent and seasonal basis, any visual aesthetic impacts would be minor and short-lived.

F. Air Quality

Air quality impacts from the proposed project would be minor because the facility would be relatively small, would operate on an intermittent and temporary basis, and would locate in a previously disturbed site. In addition, Permit #4197-00 would include conditions limiting the facility's opacity and water would be required on-site at all times to control emissions. The permit would also limit total emissions from the plant and any additional Rock equipment operated at this site to 250 TPY or less, excluding fugitive emissions.

Further, the Department determined that the wash plant would be a minor source of emissions as defined under the Title V Operating Permit Program because the source's PTE is below the major source threshold level of 100 tons per year for any regulated pollutant. Pollutant deposition from the facility would be minimal because pollutants emitted would be widely dispersed (from factors such as wind speed and wind direction) and would have minimal deposition on the surrounding area (due to site topography of the area and minimal vegetative cover in the area). Therefore, air quality impacts from operating the wash plant in this area would be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The Department contacted the Montana Natural Heritage Program (MNHP) to identify any species of concern associated with the initial proposed site location (S ½ of Section 26, Township 33 North, Range 16 East in Hill County, Montana). The search results concluded there is one species of special concern within 0.75 miles of the site: Sander canadensis, which is a fish known as a “Sauger”. The Milk River is habitat for the Sauger, which is listed as “sensitive” by the Bureau of Land Management (BLM). Based on the small size and temporary nature of equipment operations and the minimal disturbance to the environment (water, air, and soils) that would occur in the area of operation; the Department determined that only minor impacts to any unique endangered, fragile, or limited environmental resources would be expected to occur.

H. Demands on Environmental Resources of Water, Air, and Energy

Only small quantities of water would be required for dust suppression of emissions being generated at the site. Impacts to air resources would be minimal because the source would be considered a minor industrial source of emissions, with intermittent and seasonal operations. Because air pollutants generated by the facility would be widely dispersed (see Section 8.F of this EA) and energy requirements would be provided by land power or a diesel generator (in the event of a power outage), any impacts to water, air, and energy resources would be minor.

I. Historical and Archaeological Sites

The Department contacted the Montana Historical Society - State Historical Preservation Office (SHPO) in an effort to identify any historical and/or archaeological sites that may be present in the proposed area of operation. Search results concluded that there are no previously recorded historical or archaeological resources of concern within the area proposed for initial operations. Therefore, no impacts upon historical or archaeological sites would be expected as a result of operating the proposed wash plant.

J. Cumulative and Secondary Impacts

The wash plant would cause minor cumulative and secondary impacts to the physical and biological aspects of the human environment because the facility would be limited in the amount of PM, and PM₁₀ emissions generated. Emissions and noise generated from the equipment would, at most, result in only minor impacts to the area of operation because it would be seasonal and temporary in nature. Additionally, this facility, in combination with other emissions from equipment operations would not be permitted to exceed 250 TPY of non-fugitive emissions. Overall, cumulative and secondary impacts to the physical and biological aspects of the human environment would be minor.

9. The following table summarizes the potential economic and social effects of the proposed project on the human environment. The “no action alternative” was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments Included
A.	Social Structures and Mores				X		yes
B.	Cultural Uniqueness and Diversity				X		yes
C.	Local and State Tax Base and Tax Revenue			X			yes
D.	Agricultural or Industrial Production			X			yes
E.	Human Health			X			yes
F.	Access to and Quality of Recreational and Wilderness Activities			X			yes
G.	Quantity and Distribution of Employment			X			yes
H.	Distribution of Population			X			yes
I.	Demands for Government Services			X			yes
J.	Industrial and Commercial Activity			X			yes
K.	Locally Adopted Environmental Plans and Goals			X			yes
L.	Cumulative and Secondary Impacts			X			yes

Summary of Comments on Potential Economic and Social Effects: The following comments have been prepared by the Department.

A. Social Structures and Mores

The wash plant would cause no disruption to the social structures and mores in the area because the source would be considered a minor industrial source of emissions, and would have temporary and intermittent operations. Further, the facility would be required to operate according to the conditions placed in Permit #4197-00, which would limit the effects to social structures and mores.

B. Cultural Uniqueness and Diversity

The cultural uniqueness and diversity of this area would not be impacted by the wash plant because the facility would be a portable source, with seasonal and intermittent operations. The predominant use of the surrounding area (existing operational pit) would not change as a result of this wash plant. Therefore, the cultural uniqueness and diversity of the area would not be affected.

C. Local and State Tax Base and Tax Revenue

The wash plant would have little, if any, impact on the local and state tax base, and tax revenue because the facility would be a minor industrial source of emissions, and would have seasonal and intermittent operations. Only minor impacts to the local and state tax base and revenue could be expected from the employees and facility production. According to the applicant approximately 5-6 people would be employed as a result of this wash plant. Because the facility is portable and temporary, it is unlikely that people would move to the area. Impacts to local and state tax base and revenue would be minor and short-term because the source would be portable, and the money generated for taxes would be widespread.

D. Agricultural or Industrial Production

The initial site for the wash plant would be located on an existing operational gravel pit and according to the applicant the total property available would be 40 acres. The wash plant operation would have only a minor impact on local industrial production since the facility would be considered a minor source of concrete production and air emissions. Also, the portable facility would generally locate in a rural area. Minimal deposition of air pollutants would occur on the surrounding land (see Section 8.F of this EA) and only minor and temporary effects on the surrounding vegetation would occur. In addition, the facility operations would be temporary in nature and would be permitted with operational conditions and limitations that would minimize impacts upon surrounding vegetation (see Section 8.D of this EA). Overall, the impacts to agricultural or industrial production would be minor.

E. Human Health

Permit #4197-00 would incorporate conditions to ensure that the wash plant operation would operate in compliance with all applicable air quality rules and standards. These rules and standards are designed to protect human health. Air emissions from this facility would be minimized by the use of water and other process limits that would be required by Permit #4197-00. Because the facility would operate on a temporary basis and pollutants would be widely dispersed, only minor impacts would be expected on human health from the wash plant operation.

F. Access to and Quality of Recreational and Wilderness Activities

Access to recreational opportunities would not be limited by this facility. All recreational opportunities, if available in the area, would still be accessible. Noise from the facility would be minimal to surroundings because of the facility size, hours of operation, and rural location. The facility would operate on a seasonal and intermittent basis on private land and would be a minor industrial source of emissions. Therefore, any changes in the quality of recreational and wilderness activities created by operating the equipment at this site would be minor.

G. Quantity and Distribution of Employment

According to the applicant, the plant operation would require approximately 5-6 employees. The wash plant would be relatively small, would have seasonal and intermittent operations, and would only require a few employees to operate. No individuals would be expected to permanently relocate to this area of operation as a result of operating the screening facility. Therefore, only very minor effects upon the quantity and distribution of employment in this area would be expected.

H. Distribution of Population

The wash plant is a portable industrial facility that would require few employees to operate. Few individuals, if any, would be expected to permanently relocate to this area. Therefore, the wash plant would only minimally impact the normal population distribution in the initial area of operation or any future operating site.

I. Demands of Government Services

This project would result in an increase in traffic on existing roadways while the wash plant is in progress. Government services would be required for acquiring the appropriate permits for the proposed project, and to verify compliance with the permits that would be issued. However, any increase or demand for government services would be minor given the temporary and portable nature of the project.

J. Industrial and Commercial Activity

The wash plant is located in an area that was previously used for this activity and the area is previously disturbed. The wash plant would represent only a minor increase in the industrial activity in the proposed area of operation because this source is a relatively small industrial source that would be portable and temporary in nature. Other than the associated facilities also holding a Montana Air Quality Permit that would locate in this area (Permits #4196, 4198, 4199), no additional industrial or commercial activity would be expected as a result of the proposed operation.

K. Locally Adopted Environmental Plans and Goals

Permit #4197-00 would contain limits for protecting air quality and to keep facility emissions in compliance with any applicable ambient air quality standards, as a locally adopted environmental plan or goal for operating at this proposed site. Because the facility would have intermittent and seasonal operations any impacts from the facility would be minor and short-lived.

L. Cumulative and Secondary Impacts

The wash plant would cause minor cumulative and secondary impacts to the social and economic aspects of the human environment in the immediate area of operation because the source would be portable and temporary. Further, few industrial operations, if any, would be expected to result from permitting this facility. Any minor increase in traffic would have little effect on local traffic in the immediate area. Because the source would be relatively small and temporary, only minor economic impacts to the local economy would be expected from operating the facility. Further, this facility may be operated in conjunction with other equipment owned and operated by Rock, but any cumulative impacts upon the social and economic aspects of the human environment would be minor and short-lived. Thus, only minor and temporary cumulative and secondary effects would result.

Recommendation: An Environmental Impact Statement (EIS) is not required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: All potential effects resulting from construction and operation of the proposed facility are minor and temporary; therefore, an EIS is not required.

Other groups or agencies contacted or which may have overlapping jurisdiction: Montana Department of Environmental Quality - Permitting and Compliance Division (Industrial and Energy Minerals Bureau); Montana Natural Heritage Program; and the State Historic Preservation Office (Montana Historical Society).

Individuals or groups contributing to this EA: Montana Department of Environmental Quality (Air Resources Management Bureau and Industrial and Energy Minerals Bureau), Montana State Historic Preservation Office (Montana Historical Society).

EA prepared by: Jenny O'Mara

Date: February 22, 2008